

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

MAD DOGG ATHLETICS, INC.)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:20-cv-00382-JRG
)	
PELOTON INTERACTIVE, INC.)	JURY TRIAL DEMANDED
)	
Defendant.)	

NOTICE OF ACTION IN A RELATED MATTER

Plaintiff Mad Dogg Athletics, Inc. (“Mad Dogg”) notifies the Court that on August 18, 2021, Mad Dogg filed *Reorganized Debtor’s Motion For Order Appointing Independent Fiduciary With Respect To Pending Patent Infringement Litigation Against Peloton Interactive, Inc.; Memorandum Of Points And Authorities; Declarations Of John R. Baudhuin And Roy P. Kim In Support Thereof* in the United States Bankruptcy Court for the Central District of California. *See* Exhibit A (Notice of Motion, Motion, and Appendix to Motion). As previewed by Mad Dogg’s motion to reopen its bankruptcy case filed on August 13, 2021, ECF 104-1, Mad Dogg moves the bankruptcy court for “an order appointing an independent fiduciary representative (‘Independent Fiduciary’) to serve as a litigation trustee solely to succeed to [Mad Dogg’s] rights to, and take control over,” this patent infringement action, “and all claims asserted in, arising from, or related to, such action, or, in the alternative, authorizing [Mad Dogg] to appoint such Independent Fiduciary.” Exhibit A at 2. The motion sets forth terms and conditions for the appointment of an independent fiduciary “to allow the Infringement Claims to be properly administered, with any net recovery made available for the benefit of creditors to supplement payment of their claims under the [chapter 11 plan of reorganization], and avoid the resulting potential harm that otherwise would

inure to the Debtor's innocent creditors if the Infringement Action is summarily dismissed."

Exhibit A at 3.

Dated: August 18, 2021

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/s/ Elizabeth L. DeRieux

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